

LUZERNE COUNTY BOARD OF ELECTIONS
AND REGISTRATIONS SPECIAL MEETING MINUTES COURTROOM A, PENN PLACE
JANUARY 25, 2023
CALL TO ORDER 9 AM
PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

Alyssa Fusaro yes, Jim Mangan yes, Danny Schramm yes, Audrey Serniak yes, Denise Williams yes

APPROVAL OF AGENDA

Motion to adopt Audrey Serniak 2nd Danny Schramm, unanimous

PUBLIC COMMENTS (3 minutes)

Claudia Glennan, Salem Township-not an attorney but plays one on the Board; can't agree with people who don't know the law; this was a step backwards and need to recover; need to base votes on legal advice and discussions; system is set up to prevent double votes

Alisha Hoffman-Mirilovich, Fairview Township-has worked with the ACLU for a number of years; agrees with their statement and helped draft it; with Action Together

BOARD OF ELECTIONS

Alyssa Fusaro-votes can be cast for any reason but they can't be counted for any reason; law is clear that these ballots can't be counted; this skips the step of challenging ballots; created a situation so probably not the best decision; According to Title 25 they shouldn't count; HAVA, etc. leaves it up to interpretation and a court decision is needed

Danny Schramm-looked at things; presented part way not looked at entirely; finding the law is difficult on the computer; how do you get a copy of the election code? focusing on one thing and not the whole is half truth; difficult coming here and problems with parking parking; 25 miles drive is not necessary, his mail in was not received and it was convenient for him to come here to get a duplicate ballot; there are checks in the system; provisional is not counted if mail in is deemed good

Audrey Serniak-my understanding is that this procedure came from the Department of State to all PA election bureaus; not from the Bureau and not from the Board; State takes precedent over the Charter and Administrative Code

Jim Mangan-no intention to disenfranchise anyone; everyone was here when the ballots were challenged; legality has to be settled; his intent was for the voter to come in and retify the problem and expedite the process; no intent to disenfranchise; Board is caught in the middle

Paula Radick-look at all curing law, there are decisions to be made; should err towards enfranchising the voter; if contacted it is not successfully cast; provisionals are all painstakingly reviewed by this Board; can use a replacement ballot at the Bureau or a provisional at the polls

Alyssa Fusaro-skipping over Title 25: received in a timely manner; gets enfranchising but the law is the law; she is trying in a sense to enfranchise the voter

Denise Williams-in fairness people should not have to come all this way to vote; our job is to determine ballots not make things easier for the Board; no doubt that if decision regarding curing by provisional

stands there would be a lawsuit costing the taxpayers money; Board members need to do their due diligence

Paula Radick-ruling can come down at any time; this may not impact this election but can impact future elections

Danny Schramm moved that voters will be able to cast a provisional ballot at the polls in addition to curing at the Bureau if notified by the Board/Bureau that their ballot won't be counted. 2nd Audrey Serniak

Danny Schramm yes, Audrey Serniak yes, Alyssa Fusaro no, Jim Mangan yes, Denise Williams yes; 4 yes 1 no, motion passes

PUBLIC COMMENTS (3 minutes)

Jim Mangan-asked for the press's help in educating the public so that they can correctly create a ballot

Alisha Hoffman-Mirilovich-executive director of Action together NEPA a non-profit for voter advocacy; have been making phone calls for the last two election cycles to mail in voters asking them if they received their ballot and educating them on how to complete it correctly; doesn't tell them how to vote; will continue

Denise Williams-has noticed the press has been helping; hopes other organizations and parties will help as well

Alyssa Fusaro-reports that nursing home residents were not receiving their ballots

Alisha Hoffman-Mirilovich-people have received calls but are unable to cure; can the Board consider giving organizations besides the political parties the curing lists? AT NEPA can provide transportation; full disclosure she holds and elected Democratic position

Denise Williams-it's a strong allegation that someone is voting ballot for nursing home resident; the Bureau can check if a ballot has been voted

Beth McBride-the Bureau can do a better job of voter outreach; using the Visitors Bureau FB page and looking into their own FB page; Board members can help by attending community education meetings

MOTION TO ADJOURN

Alyssa Fusaro 2nd Jim Mangan ADJOURNED 9:37 AM